

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	]		
	]		
Guest, John et al.	]		
	]		
Serial No.: 10/539,461	]	Examiner:	Ade, Garcia
	]		
Filed: January 28, 2008	]	Art Unit:	3687
	]		
For: Payment System	]		

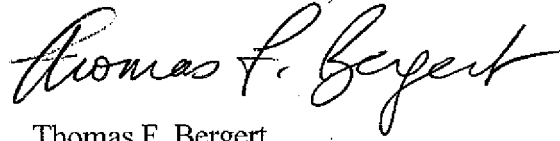
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER**

Dear Sir:

A restriction requirement was issued on January 6, 2010 in the present application, directing that Applicant elect claims for further examination from two groups representing thirty-eight (38) claims. Applicant respectfully submits that this restriction requirement is in error, as the present application includes only thirty-two (32) claims based upon a preliminary amendment filed with the present application on June 20, 2005. Applicant cannot provide an initial election since the restriction requirement as issued does not pertain to the existing claims. Accordingly, Applicant respectfully requests that the examiner withdraw the previous restriction requirement and consider the present thirty-two claims for examination. Applicant's counsel appreciates the courtesy of the examiner's supervisor, Matthew S. Gart, in discussing this matter and the present response.

Respectfully submitted,  
WILLIAMS MULLEN, PC

A handwritten signature in black ink, reading "Thomas F. Bergert". The signature is written in a cursive style with a large, stylized 'T' and 'B'.

Thomas F. Bergert  
Counsel for Applicant  
Reg. No. 38,076

Filed: January 29, 2010  
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